Remarks

Claims 1- 20 remain in the application. Claims 1-10 remain withdrawn from consideration pursuant to the provisional election made by Applicants' attorney with traverse. Claims 11-20 remain elected for examination in response to the restriction requirement despite the traverse argued below. Nevertheless, as further discussed below, the claims particularly and patentably define the present invention over the cited references and other references of record.

The restriction requirement was traversed insofar as the search of the method claims requires the Examiner to consider art substantially similar to that required for the structure claim and vice versa. Moreover, although the product as claimed can be made by materially different processes, the restriction is improper as a search of the structural features of the apparatus and the manufacturing steps of the process does not increase the burden to the Examiner if properly limited to child seat restraint anchorage.

The Examiner objected to the claims as being incomplete for omitting essential structural cooperative relationships of elements. The Examiner argued that the omitted claim structural cooperative relationship that the wire forms are attached/mounted to the cross member. However, claim 11 defines a method of manufacturing in which a restraint anchorage for a child safety seat is made. However, the manufacturing step improvements recited in the claim preferably occur before any such attachment step occurs. While the end product of restraint anchorage may require an attachment step, the manufacturing steps of the present invention may be completed well before such a step without improperly defining the invention. For example, claim 20 is the only particularized statement of attachment of the wire forms to a cross member, and states a preferred method of attachment that need not be followed in order to practice Applicants' invention. Accordingly, Applicants oppose the need for defining a structural cooperative relationship in a series of method steps that may be practiced independent of any type of attachment step that eventually may be selected in a

manufacturing process for child seat restraints that meet the safety standards for such restraints.

The Examiner rejected claims 11-20 under 35 U.S.C. § 103(a) as unpatentable over admitted prior art in view of U.S. Patent No. 6,698,080 to Sawajiri et al. The Examiner argued that the background of the specification recites legs of latch wires are inserted into a cross member up to a first collar on the legs of the latch wires. The Examiner argued that the admitted prior art does not disclose tapering each wire form in at least two locations, but that Sawajiri et al. discloses a method for tapering each wire of a door striker assembly in at least two locations. The Examiner argued that it would have been obvious for one of ordinary skill in the art at the time the invention was made to form the latch wires of the admitted prior art and modify them in order to improve the strength of the latch wire as taught by Sawajiri et al. However, the use of ordinary skill in the art fails to establish how the door striker teachings of Sawajiri et al. may be combined with known child seat restraint anchorages. In fact, as is now expressly emphasized in the claims relating to the child seat restraint anchorage in the applicable limitations, the tapering provides elongated tapered portions separated by the transverse latch bar portion. Moreover, such a distinction represents a substantial departure from the teachings of door striker references, and is not suggested by the previously known child seat restraint anchorages. Accordingly, the combined references do not form a proper ground for rejection under 35 U.S.C. § 103.

It would be impossible to practice the tapering step defined in claims 11-20 according to the method taught by Sawajiri et al. In particular, the cold heading operation suggested by Sawajiri et al. cannot be employed when an unsupported length of the wire between the clamp and the upsetting tools exceeds two and half times the diameter of the material being cold headed. Rather, when lengths of the legs of the latch wires are too long, the upsetting tools will buckle the material in the leg, rather than forcing the leg to swell. In order for the child restraint latch wires to extend to their required position forward of the seat back and above the seat, the legs of the latch wires must be long to reach the cross member from that position. The mounting position is typically very low to avoid obstruction with

useable space in the passenger compartment. The leg length of the child seat latch wire is further increased when, as recited in the preferred embodiment, the legs must extend through a tube that is used to form the cross member. As a result, such elongated legs do not permit thickening in the manner as taught by Sawajiri et al. in relation to a door striker. Such door striker legs are substantially smaller, particularly where a plate, with minimal thickness, does not force the leg to be any longer than necessary to reach a door latch. As a result, the claims now particularly define how the elongated nature of the child restraint latch tapered leg portions would not be suggested by combining the door latch teachings of Sawajiri et al. with the teachings of known child restraints as required under 35 U.S.C. § 103. Moreover, the cold heading of Sawajiri et al. would also form a flattening at the end of the leg that does not result in elongated tapering as now claimed.

The patenable differences are even more particularly defined in claims 14 and 15. The Examiner argued that Sawajiri et al. discloses heading the wire to form tapering but not reducing the middle portion of the wire. The Examiner argued that Official Notice is taken that swaging a wire to form a reduced diameter portion is well known in the art and would render it applicable to the combination of Sawajiri et al. and admitted prior art references. Official objection to this notice is asserted, insofar as the well known process of swaging has not been shown by any reference to be readily applicable to the structures of admitted prior art or to door latch strikers such as Sawajiri et al. or to the safety requirements of child seat restraint anchorages. None of the references of record or the admitted prior art teach or suggest such adaption. Rather, the fact that swaging was known does make it applicable to the types of structures particularly defined in the child restraint manufacturing process defined in claims 11-20.

Moreover, reducing the diameter of the middle portion does not result from applying the teachings of Sawajiri et al. In addition, the Examiner's argument that swaging is well known, without any support that it is readily applicable to a door striker reference teaching a substantially different technique, is not an obvious variation of any of the prior art of record under 35 U.S.C. § 103. The fact that swaging is known does not make it applicable

to the child restraint manufacturing steps defined in the claims, particularly where no swaging is shown in the prior art of child restraint latches. Moreover, the process as taught by Applicant is used as an alternative to a physically contrary bulging system of thickening by cold heading taught by Sawajiri et al. The Examiner's argument is a substantial departure from the teachings of the prior art references and from ordinary skill in the art. Whereas the swaging step of claim 15 can be performed prior to any bending of the wire form, Sawajiri et al. specifically teaches bending of the wire before cold heading the parts. Moreover, the prior bending of Sawajiri et al. is required in order to reduce the length of the legs upon which the cold heading is to be performed as argued above in regard to the disadvantages of using that technique. Moreover, the problems of buckling and flattening or widening of the material at the ends of the legs that would occur when a cold heading process is performed teach away from narrowing the door latch wire according to the teachings of Sawajiri et al. As a result, the modification taught by Applicant is not motivated by the prior art references that do not teach or suggest any reduction of the center portion of the wire form as argued by the Examiner.

The amendment to claim 1 to recite the elongated tapered portion is supported by the original disclosure and does not add new matter to the application. For example, the summary of invention particularly defines how the legs support each latch member for exposure to access from the front of the seat, as shown in Figure 1, while attached well below the seat. Moreover, the written description defines how the legs may include collars, as well as a portion between the collars, that extends through the cross member carrying the latch wires. Thus, the inherent characteristics of these legs inherently define elongated legs when viewed with respect to door striker art of the type shown by Sawajiri et al. which require only short legs and attachment to a thin plate. As a result, the claim limitations are made in reference to the relative features of the claimed invention relative to the cited prior art, which was not considered relevant to the formation of child seat restraint anchorages until cited by the Examiner. As a result, the need for the limitation could not have been previously predicted. The relative length is defined only in response to the Examiner's attempt to apply

a merely visually similar structure not otherwise pertinent to the construction of child seat restraint anchorages.

In view of the foregoing, Applicants respectfully submit that claims 11-20 are in condition for allowance, and such action is respectfully requested.

A check in the amount of $110.00 is enclosed to cover the Petition fee. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978 -- a duplicate of this paper is enclosed for that purpose.

Respectfully submitted,

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